



September 2, 2020

Milan P. Spisek
914.872.7870 (direct)
203.526.7219 (mobile)
Milan.Spisek@WilsonElser.com

VIA ECF

Hon. Vernon S. Broderick
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, NY 10007

Re: AKUA AMPEN v. UNITED STATES OF AMERICA, DR. PETER FAINTI, DR. EVE KARKOWSKI, DR. ALEXANDER KUCHEROV, DR. HYE J. HEO, DR. JANE OWEN, DR. NICOLE NEVADUNSKY, DR. DENNIS KUO, DR. MARIA ROSNER, DR. KAFUI DEMASIO, DR. JONATHAN TRAMBERT, and MONTEFIORE MEDICAL CENTER.

Case No.: 20-CV-03495 (VSB)
Our File No.: 22920.01020

Dear Judge Broderick:

My office represents Dr. Kucherov, Dr. Heo, Dr. Nevadunsky, Dr. Kuo, Dr. Demasio, Dr. Trambert and Montefiore Medical Center in this medical malpractice action. The United States Attorney and this office are writing jointly to request a brief adjournment of the September 4, 2020 Initial Case Management Conference of one week or the next available date. Plaintiff's primary counsel is away on vacation and we have not been able to jointly confer with them. This is the first request for an extension of time as to the Initial Conference.

Originally the parties had agreed to conduct all further proceedings before a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c). However, the filed form was returned because not all the defendants have been served and interposed an answer. Further, there is no longer unanimity in a referral to a Magistrate Judge. However, the parties are now unable to abide by your Rule 2 (C) which directs that a joint letter and a proposed Civil Case Management Plan and Scheduling Order be submitted one week before the Initial Case Management Conference.

We respectfully await the further directives of this Court.

Very truly yours,

3 Gannett Drive • White Plains, NY 10604 • p 914.323.7000 • f 914.323.7001

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Cc: All Parties VIA ECF

APPLICATION DENIED

SO ORDERED *Vern Broderick*

VERNON S. BRODERICK

U.S.D.J. 9/3/2020

The parties are directed to review my previous Order dated August 19, 2020, which states that "in light of the public health crisis, the Court will not be holding an initial pretrial conference." There is currently no conference scheduled. No later than September 10, 2020, the parties shall comply with that Order's instruction to file a joint status letter and case management plan answering the questions posed in the Order. Plaintiff is further directed to meet and confer with Defendants so that the parties' submission may be filed.